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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,821	06/25/2003	Tomokazu Ando	03500.017352.	1995
5514	7590	12/06/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SANTIAGO, MARICELI	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/602,821	ANDO, TOMOKAZU	
	Examiner	Art Unit	
	Mariceli Santiago	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 8-23 is/are rejected.
- 7) ☒ Claim(s) 2 and 4-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The Amendment, filed on October 17, 2005, has been entered and acknowledged by the Examiner.

Cancellation of claim 7 has been entered.

Claims 1-6 and 8-23 are pending in the instant application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 8, 10-12, 14-16 and 18-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al. (US 6,809,476).

Regarding claim 1, Lee discloses a hermetic container comprising a first substrate (200), a second substrate (100) disposed confronting with the first substrate, an outer frame (300) disposed between the first and second substrates and surrounding a space between the first and second substrates (Fig. 3B), a sealing member (400) for sealing a connection area between the outer frame and at least one of the first and second substrates, a space defined by the first and second substrates and the outer frame being maintained hermetic, and a reinforcing member (500) disposed outside the space maintained hermetic and between the first and second substrates, the reinforcing member maintaining a fixed state of a relative position of the

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first and second substrates, wherein the reinforcing member does not contact an area at which the outer frame and the sealing member contact mutually (Fig. 3E), and the reinforcing member consists of an adhesive for adhering the first and second substrates (Column 5, lines 13-21).

Regarding claim 3, Lee discloses a hermetic container comprising a first substrate (200), a second substrate (100) disposed confronting with the first substrate, an outer frame (300) disposed between the first and second substrates and surrounding a space between the first and second substrates (Fig. 3B), a sealing member (400) for sealing a connection area between the outer frame and at least one of the first and second substrates, a space defined by the first and second substrates and the outer frame being maintained hermetic, and a reinforcing member (500) disposed outside the space maintained hermetic and between the first and second substrates, the reinforcing member maintaining a fixed state of a relative position of the first and second substrates, wherein the reinforcing member does not contact an area at which one of the first and second substrates contacts the sealing member (Fig. 3E), and the reinforcing member consists of an adhesive for adhering the first and second substrates (Column 5, lines 13-21).

Regarding claim 8, Lee discloses a hermetic container wherein the reinforcing member is a member expelling a force acting to narrow a gap between the first and second substrates (Column 5, lines 13-20).

Regarding claim 10, Lee discloses a hermetic container comprising first and second substrates (100 and 200) disposed confronting with each other, a sealing member (400) disposed in contact with each of the first and second substrates for maintaining hermetic an internal space between the first and second substrates, and a reinforcing member (500) for coupling the first and second substrates, the reinforcing member being disposed spaced apart from a contact area between the sealing member and each of the first and second substrates,

wherein the reinforcing member consists of an adhesive for adhering the first and second substrates (Column 5, lines 13-21).

Regarding claim 11, Lee discloses a hermetic container wherein the reinforcing member coupling the first and second substrates is disposed outside of the sealing member (Fig. 3E).

Regarding claim 12, Lee discloses an image display apparatus having image display means disposed in the hermetic container.

Regarding claim 14, Lee discloses a hermetic container comprising first and second substrates (100 and 200) disposed confronting with each other, an outer frame (300) disposed between the first and second substrates, a sealing member (400) for sealing a space between one of the first and second substrates and the outer frame, the sealing member maintaining hermetic an internal space between the first and second substrates, and a reinforcing member (500) for coupling the first and second substrates, the reinforcing member being disposed spaced apart from a contact area between the sealing member and one of the first and second substrates (Fig. 3E), wherein the reinforcing member consists of an adhesive for adhering the first and second substrates (Column 5, lines 13-21).

Regarding claim 15, Lee discloses a hermetic container wherein the reinforcing member coupling the first and second substrates is disposed outside of the sealing member (Fig. 3E).

Regarding claim 16, Lee discloses an image display apparatus having image display means disposed in the hermetic container.

Regarding claim 18, Lee discloses a hermetic container comprising first and second substrates (100 and 200) disposed confronting with each other, an outer frame (300) disposed between the first and second substrates, a sealing member (400) for sealing a space between one of the first and second substrates and the outer frame, the sealing member maintaining hermetic an internal space between the first and second substrates, and a reinforcing member

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(500) for coupling the first and second substrates, the reinforcing member being disposed spaced apart from a contact area between the sealing member and the outer frame (Fig. 3E), wherein the reinforcing member consists of an adhesive for adhering the first and second substrates (Column 5, lines 13-21).

Regarding claim 19, Lee discloses a hermetic container wherein the reinforcing member coupling the first and second substrates is disposed outside of the sealing member (Fig. 3E).

Regarding claim 20, Lee discloses a hermetic container wherein the reinforcing member coupling the first and second substrates is spaced apart from a contact area between the sealing member and the one of the first and second substrates.

Regarding claim 21, Lee discloses a hermetic container wherein the reinforcing member coupling the first and second substrates is disposed outside of the outer frame (Fig. 3E).

Regarding claim 22, Lee discloses an image display apparatus having image display means disposed in the hermetic container.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 13, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 6,809,476).

Regarding claims 9, 13, 17 and 23, Lee fails to disclose the limitation of the display means including an electron source and a phosphor member for emitting light upon collision of electrons emitted from the electron source. Lee exemplifies a hermetic container as claimed

used in plasma display panels. Lee acknowledges that the disclosed sealing/reinforcing member arrangement and manufacturing process provide the advantages of an attachment process being carried out at a room temperature so as not to generate mixed gases, thereby reducing the fabricating process time of the display panel and preventing characteristic and performance of the panel from being reduced and also preventing the panel from being damaged, moreover, the panel structure is not changed by external pressure variation. One skilled in the art would reasonable contemplate the use of the sealing/reinforcing member arrangement disclosed by Lee in flat panel displays other than plasma display panels for the same advantages disclosed by Lee, since such requirements are also found in the manufacture and design of display panels such as FED's and LCD's. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the sealing/reinforcing member disclosed by Lee in an image display means including an electron source and a phosphor member for emitting light upon collision of electrons emitted from the electron source, in order to prevent damage of the panel and possible changes in the panel's structure due to external pressure variations.

Allowable Subject Matter

Claims 2 and 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 2, and specifically comprising the limitation of

the reinforcing member, the outer frame and the sealing member have different thermal expansion coefficients.

Regarding claim 4, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 2, and specifically comprising the limitation of the reinforcing member, at least one of the first and second substrates and the sealing member have different thermal expansion coefficients.

Regarding claims 5 and 6, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 5 and 6, and specifically comprising the limitation of the sealing member is made of a low melting point metal or frit.

Response to Arguments

Applicant's arguments with respect to claims 1-6 and 8-23 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

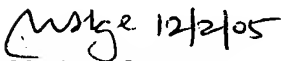
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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Mariceli Santiago
Primary Examiner
Art Unit 2879